

Amendments to the Drawings:

The attached Appendix I includes changes to Figures 1-6. Appendix I, which includes Figures 1-6, replaces the original sheets including Figures 1-6. The Amendments include only clerical corrections required by the Examiner or formal drawings of the previous Figures. No new matter has been introduced by way of the foregoing amendments.

Attachment: Appendix I (Replacement Sheets 1-6)

REMARKS/ARGUMENTS

Claims 1-35 remain in this application. Claims 18-32 and 35 were previously allowed. Claims 1-17 have been cancelled without disclaimer or prejudice to any future or pending application covering the same or similar subject matter. Claims 19-20, 33 and 34 have been amended without prejudice and introduce no new matter to this application:

Priority

The Examiner objected to page 2 of the specification regarding priority of the application and requires amendment to indicate the relationship of the parent application. Applicant has therefore amended the specification at page 2 as suggested by the Examiner.

Drawings

a. The Examiner objected to the drawings because they do not include reference numeral 52. Applicant has therefore amended Figures 1 and 2(b) to add reference numeral 52 and has submitted corrected drawing sheets in compliance with 37 CFR 1.121(d).

b. The Examiner also objected to Figure 6 because one of the reference numbers marked as "32" should be marked as "33". Applicant has therefore corrected

reference numeral “32” to “33” on the right side of Figure 6 and has submitted corrected drawing sheets in compliance with 37 CFR 1.121(d).

c. The Examiner also objected to Figure 2(b) because there are two lead lines without reference numerals. Applicant has therefore corrected Figure 2(b) to add, respectively, reference numerals 52 and 54 to the lead lines, and has submitted corrected drawing sheets in compliance with 37 CFR 1.121(d).

d. Although not required by the Examiner at this time, Applicant has submitted formal drawings for Figures 1-8. Apart from the corrections required by the Examiner and made through amendment, the formal drawings of Figures 1-8 are identical in all other aspects to the previous Figures 1-8 and introduce no new matter.

Specification

a. The Examiner objected to the disclosure at page 9, line 7 because the text “brush housing 6” is incorrect. Applicant has therefore corrected the specification to read “motor housing 6”

b. The Examiner also objected to the specification at page 22 because the referenced application should be updated. Applicant has therefore amended the specification to note that U.S. Patent No. 6,666,925 (rather than Application Serial No. 10/002,365) is incorporated by reference.

Claims.

a. Claim Objections

The Examiner objected to Claim 1 at lines 7 and 14 because “fluid” at line 7 should be “liquid” and “brush” should follow “cosmetic at line 14. Without acquiescing to the objection, Applicant has cancelled claim 1 without disclaimer or prejudice to any future or pending application covering the same or similar subject matter.

b. Claim Rejections Under 35 USC Section 112

The Examiner rejected Claims 33 and 34 under 35 U.S.C. Section 112, Second paragraph as being indefinite and for failing to particularly point out and distinguish the subject matter which the Applicant regards as the invention. Applicant has therefore amended Claim 33 to provide antecedent basis for “means for providing power to rotate the rotating cleaning means” (Claim 33, lines 1-2) and Claim 34, line 3 to provide antecedent for “means for providing power” by depending Claim 34 from Claim 33.

d. Double Patenting

The Examiner rejected Claims 1, 2, 16 and 17 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-22 of U.S. Patent No. 6,666,925. Without acquiescing to the double patenting rejection, Applicant has cancelled Claims 1, 2, 16 and 17 without disclaimer or prejudice to any future or pending application covering the same or similar subject matter.

e. **Claim Rejections Under 35 U.S.C. Section 102**

The Examiner rejected Claims 1-3, 6 and 16 under 35 U.S.C. Section 102(b) as being anticipated by Zara et al., U.S. Patent No. 5,701,626, and Claims 1-3, 5, 6, 16 and 17 as being anticipated by Ballman U.S. Patent No. 1,542,025. Without acquiescing to the rejections under 35 U.S.C. Section 102, Applicant has cancelled Claims 1-3, 5, 6 16 and 17 without disclaimer or prejudice to any future or pending application covering the same or similar subject matter.

f. **Claim Rejections Under 35 U.S.C. Section 103**

The Examiner rejected Claims 4 and 7-15 under 35 U.S.C. Section 103(a) as being unpatentable over either Ballman or Zara et al. Without acquiescing to the rejections under 35 U.S.C. Section 103, Applicant has cancelled Claims 4 and 7-15 without disclaimer or prejudice to any future or pending application covering the same or similar subject matter.

g. **Miscellaneous Claim Amendments**

Claims 19 and 20 have been amended to correct clerical errors. Specifically, Applicant has amended Claim 20 to remove the second “the” and claim 20 to change “paint-brush-cleaning” to “brush cleaning” so that Claim 20 is consistent with Claim 18, from which it depends.

Additional Matters

Applicant wishes to bring to the Examiner and Patent Office's attention that the Inventors, Ted J. Brackett and C. Martin Smith have assigned the invention and the instant application to Dynamic Cleaning Technologies, LLC, which should now be considered as the Applicant. The assignment has been recorded with the Assignment Branch.

Additionally, Applicant wishes to bring to the Examiner and Patent Office's attention that the filing receipt incorrectly identified C. Martin Smith as the first named inventor. Applicant respectfully requests that Ted J. Brackett be identified as the first named inventor on the instant application (*i.e.* the inventors should be listed as: Ted J. Brackett and C. Martin Smith).

Having responded to each of the Examiner's concerns, Applicant asserts that the application is now in condition for allowance and solicits such action. If a telephone interview will advance the allowance of the application, enabling an Examiner's amendment or other meaningful discussion of the case, Applicant requests the Examiner contact Applicant's representative at the number listed below.

Applicant has submitted herewith a check in the amount of \$510.00 for a three-month extension of time (small entity) to respond to the Office Action.

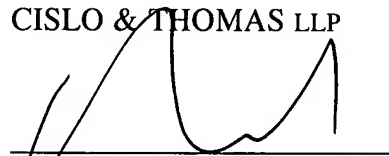
Application No. 10/731,364
Amendment dated March 24, 2005
Reply to Office Action of September 27, 2004
Attorney Docket No. 02-11429

It is not believed that any additional fees are due; however, in the event any additional fees are due, the Examiner is authorized to charge Applicant's attorney's deposit account no. 03-2030.

Date: March 24th, 2005

Respectfully submitted,

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APPENDIX I

TITLE:	PAINT BRUSH AND MAKEUP BRUSH CLEANING DEVICE
INVENTOR(S):	C. MARTIN SMITH
SERIAL NO.:	10/731,364
ATTY DOCKET:	02-11429
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